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Agreement with Coeur D'Alene Indians. Letter from the Secretary of the Interior, transmitting an agreement with the Coeur d'Alene Indians in Idaho, for a change of the northern boundary line of their reservation.

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AGREEMENT WITH CŒUR D'ALENE INDIANS.

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

An agreement with the Cœur d'Alene Indians in Idaho, for a change of the northern boundary line of their reservation.

MARCH 23, 1894.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, March 22, 1894.

SIR: I have the honor to transmit herewith an agreement with the Cœur d'Alene Indians in Idaho for a change in the northern boundary line of their reservation so as to exclude therefrom a strip of land on which the town of Harrison and numerous settlers are located.

This agreement was negotiated in pursuance of a clause contained in the Indian appropriation act for the fiscal year 1894 (27 Stats., 616). It has been considered by the Commissioner of Indian Affairs and the Commissioner of the General Land Office, as shown by the reports herewith, dated 27th ultimo and 14th instant, respectively.

I also transmith herewith a draft of a bill to ratify the agreement, with request that the same may receive the favorable action of Congress.

Very respectfully,

HOKE SMITH,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 27, 1894.

SIR: Referring to the correspondence relative to negotiating with the Cœur d'Alene Indians of Idaho for a change in the northern boundary line of their reservation, so as to exclude therefrom a strip of land on which the town of Harrison and numerous settlers are located, in

accordance with the provisions of an item in the Indian appropriation act for fiscal year ending June 30, 1894 (27 Stats., 616), I have now to inform you that under date of December 21, 1893, this office instructed Special U. S. Indian Agent John Lane in the matter of negotiating with said Indians, in accordance with Department instructions of December 15, 1893.

For your further information in the premises I inclose you herewith a copy (in duplicate) of said letter of instructions. It gives a brief history of the legal status of the Cœur d'Alene reservation; the circumstances under which it is claimed the town of Harrison was settled; the unsuccessful efforts heretofore made at negotiating with the Indians for a cession of said lands; and full instructions to the special agent with reference to conducting said negotiations.

I am now in receipt of Special Agent Lane's report in connection with said negotiations, dated February 10, 1894. The special agent states that he arrived at De Smet Mission, on the reservation, on February 2, 1894; that he at once sent for Chief Seltice, Wild Shoes, and Mac tel ma, and advised them of the object of his visit; that arrangements were made for convening a general council of the tribe on Tuesday, February 6; that in accordance with this arrangement he met the council on the evening of February 6, there being a large number of Indians present; that it was soon apparent to him, after opening the council, that the Indians would not agree to the cession of the lands in question without pay therefor; that after the matter was fully explained to the Indians, they desired an adjournment until next morning, in order that they might talk it over among themselves; that the council then adjourned to meet next morning at 9 a. m.; that the council met on the morning of February 7, pursuant to adjournment; that shortly after convening, the Indians informed him they would cede a strip of land entirely across the reservation, a mile in width, so as to include the town of Harrison and the settlers on the northern part of the reservation, for the consideration of \$15,000, to be paid to them per capita, share and share alike. This proposition Special Agent Lane accepted, and the agreement was drawn accordingly, dated February 7, 1894.

The agreement also provides that the new boundary line established thereby shall be surveyed and marked in a plain substantial manner, the cost of such survey to be paid by the United States; also that the agreement shall not be binding on either party until the same is ratified by Congress.

Special Agent Lane further states in his report, that from the best information obtainable there are about 141 adult male Indians residing on the reservation and interested in the cession of the land, and that he obtained 112 such signatures to the agreement.

For your further information I inclose you herewith (in duplicate) a copy of Special Agent Lane's report, a copy of the council proceedings, and a copy of the agreement; and it is respectfully recommended that these papers be placed before the Congress for its consideration and action.

The distance from the mouth of the Cœur d'Alene River to the eastern boundary of the reservation is about 15 miles; a strip of land a mile wide across the northern part of the reservation from the mouth of the Cœur d'Alene River would therefore embrace about 15 sections. Upon this basis the price agreed upon is about \$1.56 per acre. If from this we deduct 1 square mile from the township of Harrison, it would leave about 14 sections, or 8,960 acres; if it be calculated that the town-

site alone is worth \$5,000, this would make the remainder of the land, at the price agreed upon, cost a little less than \$1.12 per acre. It must be understood that the above is but a rough estimate of this office if the northern boundary line of the reservation should fall short of 15 miles in length. This would make the quantity of land less than the above estimate, and the price per acre would be correspondingly higher.

The price agreed upon, taking all the circumstances into consideration, is probably not too large; at any rate, this office feels well assured that it is the least price at which the Indians would consent to part with the lands, and this office accordingly recommends the ratification of the agreement by Congress, and that an appropriation be made for carrying the same into effect.

The disposition that should be made of the lands after they are segregated from the reservation and become a part of the public domain is a question that should probably be determined by the General Land Office; this office suggests, however, that it might be well to give some preference right to the settlers now on said land or to such as were bona fide settlers prior to the making of this agreement, and to require the settlers to reimburse the Government for the price paid the Indians for the lands and for the survey thereof. This suggests also that the question of the survey is one that more properly comes under the jurisdiction of the General Land Office.

I also inclose herewith the draft of a bill to ratify said agreement; but, as has been suggested since, there are questions that should be settled by the General Land Office; the bill is incomplete and should be referred to that office for completion. It is accordingly recommended that the papers be referred to the Commissioner of the General Land Office for consideration and action.

Very respectfully, your obedient servant,

FRANK C. ARMSTRONG,
Acting Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 21, 1893.

SIR: The Cœur d'Alene Indian Reservation, in Idaho, prior to the agreement hereinafter mentioned, contained about 598,500 acres and was created by Executive orders of the dates of June 14, 1867, and November 8, 1873. On March 3, 1891, Congress ratified an agreement (26 Stats., 1026), which had been made with the Cœur d'Alene Indians by a commission theretofore appointed by the President, consisting of John V. Wright, Jared W. Daniels, and Henry W. Andrews, to treat with them for the cession of a certain portion of their lands, which agreement was made March 26, 1887, article 5 of which provides:

In consideration of the foregoing cession and agreements it is agreed that the Cœur d'Alene Reservation shall be held forever as Indian land and as homes for the Cœur d'Alene Indians now residing on said reservation, and the Spokane or other Indians who may be removed to said reservation under this agreement, and their posterity; and no part of said reservation shall ever be sold, occupied, open to white settlement, or otherwise disposed of without the consent of the Indians residing on said reservation.

Afterward, on September 9, 1889, pursuant to the act of Congress approved March 2, 1889 (25 Stats., 1002), Benjamin Simpson, John H.

Shupe, and Napoleon B. Humphrey, a duly appointed commission, made a contract with the Indians for a certain other cession of the reservation, the description of which is contained in article 1 of the agreement, and reads as follows:

For the consideration hereinafter named the said Cœur d'Alene Indians hereby cede, grant, relinquish, and quit-claim to the United States all the right, title, and claim which they now have, or ever had, to the following described portion of their reservation, to wit: Beginning at the northeast corner of the said reservation, thence running along the north boundary line north sixty-seven degrees twenty-nine minutes west to the head of the Spokane River; thence down the Spokane River to the northwest boundary corner of the said reservation; thence south along the Washington Territory line 12 miles; thence due east to the west shore of the Cœur d'Alene Lake; thence southerly along the west shore of said lake to a point due west of the mouth of the Cœur d'Alene River, where it empties into the said lake; thence in a due east line until it intersects with the eastern boundary line of the said reservation; thence northerly along the said east boundary line to the place of beginning.

This agreement was ratified by act of Congress approved March 3, 1891 (26 Stats., 1030). The instructions of the Commissioner of the General Land Office to the surveyor-general of Idaho relative to the survey of the line dividing the ceded portion from the retained reservation, followed the exact language or wording of article 1 of said agreement; said line was accordingly located and surveyed from "a point due west of the mouth of the Cœur d'Alene River, where it empties into the said lake (the Cœur d'Alene Lake), thence in a due east line until it intersects with the eastern boundary line of said reservation."

Between the date of the ratification of said agreement (March 3, 1891) and the time of the survey of said boundary line under the directions of the surveyor-general of Idaho, and about the first of July, 1891, certain white persons settled upon what has since been known as and called the town site of Harrison, south of said boundary line and within the reservation, on the east side of Cœur d'Alene Lake, near the mouth of Cœur d'Alene River. These settlers claim that before locating on the town site of Harrison they had been told by the commissioners who negotiated the agreement of cession, and by the Indians, that the line dividing the ceded portion from the reservation would run about a mile and a-half south of where it was actually located by the surveyors, which would have left the said town site on the ceded portion. They also further claim to have settled on said lands under the United States town-site act in accordance with the laws of Idaho. On September 4, 1891, one A. A. Crane, chairman of the committee of relief, wrote to the President requesting that relief of some kind be afforded the town-site settlers.

As a result of the correspondence which followed this letter an item was inserted in the act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the fiscal year ending June 30, 1893, and for other purposes (27 Stats., 124), providing for obtaining the consent of the Cœur d'Alene Indians to the cession of a certain tract of land therein described upon which it was supposed the said town site was located, the cession of which it was believed would give the town-site settlers the relief they desired. This office accordingly, on July 30, 1892, instructed the U. S. Indian agent of the Colville Agency to convene a council of the Cœur d'Alene Indians and obtain their consent to the cession of the lands described in said item. A council of the Indians for the purpose of securing their consent to this session was never called, and the cession was not secured for the reason

as stated by the U. S. Indian agent, in his report on said office instructions of July 30, 1892, that the town site of Harrison was not located on the tract of land described in said item, and that the cession of such tract of land would not give the town-site settlers any relief whatever.

The cession contemplated by said item having failed for the reasons above stated, another item looking to the accomplishment of the same object was inserted in the act making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes, for fiscal year ending June 30, 1894 (27 Stats., 616). Said item is as follows:

The Secretary of the Interior is hereby directed to negotiate with the Cœur d'Alene Indians for a change of the northern line of their reservation, so as to exclude therefrom a strip of land on which the town of Harrison and numerous settlers are located.

That the foregoing provision shall take effect and be in force after it shall have been submitted to and duly agreed to by the Indians of said tribe and approved by the Secretary of the Interior.

The change of the northern boundary line of the Cœur d'Alene Reservation contemplated by this legislation is such as to exclude from the reservation the land on which the town of Harrison and numerous settlers are located. The change in the boundary line will take effect and be in force after it shall have been submitted to and duly agreed to by the Indians occupying the Cœur d'Alene Reservation and approved by the Secretary of the Interior.

Accordingly, on July 20, 1893, this office submitted to the Secretary of the Interior the draft of a letter of instructions relative to negotiating with the Cœur d'Alene Indians for a change of the northern boundary line of their reservation, as contemplated in the above item of the Indian appropriation act for the fiscal year ending June 30, 1894. On August 11, 1893, this office transmitted Special U. S. Indian Agent Thomas P. Smith and Capt. John W. Bubb, U. S. Army, acting Indian agent, Colville Agency (to which agency the Cœur d'Alene Reservation is attached), copies of the letter of instructions for negotiating with said Indians for the cession of said strip of land, which had received the approval of the Acting Secretary on July 21, 1893, and instructed them to conduct said negotiations as said letter of instructions directed. Afterward, and before the negotiations were commenced, Agent Ronan, of the Flathead Agency, died, and it became necessary to send some one there to take charge of that agency. Accordingly, on August 21, 1893, this office telegraphed Special Agent Smith of the death of Agent Ronan, and directed him to proceed at once to Flathead Reservation and take full charge of the agency. On August 23, 1893, he was directed by telegram, addressed to Flathead Agency, to transmit instructions and accompanying papers relating to the matter of the town site of Harrison, on the Cœur d'Alene Reservation, to Capt. Bubb, of the Colville Agency. He was also informed that the office had wired Capt. Bubb to carry out same in connection with Special Agent Hardman. On the same day Acting Agent Bubb was wired as follows:

Have wired Special Agent Smith to forward to you instructions relating to selection of land within Cœur d'Alene for Spokanes and town of Harrison. Carry out same in connection with Special Agent Hardman, of Spokane.

Accordingly the instructions of July 20, 1893, were carried out by Acting Agent Bubb and Special Agent Hardman.

A council for the purpose of negotiating with the Indians for the said strip of land was called to meet at De Smet Mission on October 26, 1893, at which time and place the council met at 11 a. m. It appears

from the proceedings, which are dated October 28, 1893, that councils were also held on that date and on October 30.

I am now in receipt of a letter from Acting Agent Bubb, dated the 3d instant, with which he forwards said council proceedings.

It appears from the proceedings that the Indians on the first day of the council, after some of the subchiefs had said that they would not agree to the cession of a strip of land entirely across the reservation so as to include the settlers along the river outside of the town site, finally, in an informal manner, and without signing any papers to that effect, agreed to cede a strip of land 1 mile wide across the entire reservation without compensation. The council then adjourned to meet on Saturday, October 28, for the purpose of entering into the formal written agreement, the intervening time being occupied in reducing the first day's proceedings to writing and in drafting the formal written agreement.

The second meeting was at Tekoa, Wash. Chief Seltice at once informed Acting Agent Bubb and Special Agent Hardman that the Indians had changed their minds, and that they would not let the land go for nothing. Acting Agent Bubb stated that if the Indians had changed their minds about the matter, Tekoa was not the proper place to talk about it; that De Smet Mission was the proper place to talk the matter over. He accordingly requested the Indians to meet him at De Smet Mission on Monday, October 30, at 10 o'clock a. m.

The council met at De Smet Mission on October 30, according to appointment. The talk was long and toward the close was somewhat heated. The Indians refused to cede the land for less than \$5 per acre for the land outside the town site, and \$25 per acre for the land included within the town site. Acting Agent Bubb and Special Agent Hardman were of the opinion that the price was exorbitant, and would not be approved by the Department, and so refused to enter into an agreement with the Indians on that basis.

It appears from the council proceedings that Chief Seltice felt considerable dissatisfaction because "Washington" had not sent him a copy of the letter of instructions directing the negotiations and because their agent had been designated as one of the commissioners to treat with them for the cession of the land.

Acting Agent Bubb, in his letter transmitting the council proceedings, states that he is still of the opinion that the Indians would consent to cede the land without compensation if the Department would write to Chief Seltice and Subchiefs Weld shaw and Mac tel ma. The acting agent also further states that it was apparent to him that he did not have the full confidence of the Indians, and that he is strongly of the opinion the Indians were induced to change their minds in regard to ceding the land, after the first day's council, by parties who enjoy the confidence of the Indians through mercantile channels and long intercourse with them.

I am also in receipt of a communication (without date) signed by a considerable number of the Cœur d'Alene Indians, in which they give their account of the proceedings of the councils held by Acting Agent Bubb and Special Agent Hardman. The burden of this communication is that "Washington" should have written their chief, Seltice, just what "he" wanted them to do. In it they also express some feeling that they were not fairly treated in the matter by Acting Agent Bubb, a feeling that probably amounted to a suspicion that their agent was not fairly carrying out the directions he had received from the Department.

In the closing paragraphs of the council proceedings Acting Agent Bubb and Special Agent Hardman state:

It has been apparent to us from the first that the Indians did not look upon us as having full power to make a treaty for their land, although we explained fully our instructions and the law under which the instructions were made.

For your further information in the premises, I transmit you herewith a copy of the said letter of instructions of July 20, 1893, a copy of the said council proceedings, a copy of Capt. Bubb's letter transmitting council proceedings, dated November 3, 1893, and a copy of the communication from the Cœur d'Alene Indians.

Under date of November 16, 1893, this office reported to the Department the result of the negotiations conducted by Special Agent Hardman and Capt. Bubb, with which was transmitted a copy of the council proceedings and copies of all the correspondence in relation to the negotiations, and asked to be advised as to what further steps should be taken in the matter. I am now in receipt of the Secretary's reply to said communication, dated December 15, 1893, as follows:

I am in receipt of your communication of the 16th ultimo, in which you refer to previous correspondence relative to negotiations with the Cœur d'Alene Indians for a change of the northern boundary of that reservation so as to exclude therefrom a strip of land on which the town of Harrison and numerous settlers are located, in accordance with the provisions of the Indian appropriation act for the fiscal year ending June 30, 1894, and transmitting copy of a report of Special Agent Hardman and Capt. John W. Bubb, U. S. Army, acting Indian agent, Colville Agency, showing that the negotiations failed because Capt. Bubb and Special Agent Hardman thought the Indians were asking an exorbitant price for the ceded lands.

It is shown by the correspondence that Capt. Bubb is of the opinion that the Indians would consent to cede the lands without compensation if the Department would write to Chief Seltice and Subchiefs Weld shaw and Mac tel ma, and that it was apparent to him that he did not have the full confidence of the Indians and that he is strongly of the opinion that the Indians were induced to change their minds in regard to ceding the land after the first day's council by parties who enjoy the confidence of the Indians through mercantile channels and long intercourse with them; and further, that the Indians did not look upon them as having full power to make a treaty for their land, although they explained fully their instructions and the law under which the instructions were made.

As it is the wish of the Department that this matter be finally determined, I have to request that you direct U. S. Special Indian Agent John Lane to proceed at as early date as practicable to the Cœur d'Alene Reservation and procure, if possible, from their lands without compensation to conduct the negotiations so that they shall receive a proper and reasonable compensation, subject, however, to the future action of Congress.

Agent Lane should be directed to act in this matter jointly with the agent, Capt. Bubb, or alone, if it is deemed best and Chief Seltice and Subchiefs Weld shaw and Mac tel ma should be notified of the wishes of the Department as to the final settlement of this matter.

You are accordingly directed, after you shall have completed the negotiations with the Indians of the Yakama Nation for the cession of all their rights in and to the land known as the "Wenatshapam fishery," as contemplated in office instructions of October 25, 1893, to proceed to the Cœur d'Alene Reservation, and either jointly with Capt. John W. Bubb, U. S. Army, acting Indian agent, Colville Agency, or alone, as you may deem best, present to the Cœur d'Alene Indians the matter relating to the change of the northern boundary line of their reservation, as contemplated by the above quoted item in the Indian appropriation act for the fiscal year ending June 30, 1894.

A copy of these instructions will be sent to Capt. Bubb, and he will be directed to cooperate with you in the matter of conducting the negotiations in case you deem his assistance necessary. In view, however, of the statement in Capt. Bubb's letter of November 3, 1893, transmitting the former council proceedings, to the effect that it was apparent

to him early in the proceedings that he did not have the confidence of the Indians, it has been thought by this office that you would probably better conduct the negotiations alone, and not call upon Capt. Bubb for assistance. If, however, you deem Capt. Bubb's presence necessary to the successful termination of the negotiations, you should call upon him.

For the purpose of obtaining the consent of the Indians to the change of the northern boundary line of their reservation, as herein contemplated, you will hold open councils with the Indians, to which all the chiefs, headmen, and other male adults 18 years of age and upwards belonging to the reservation shall be invited.

The provisions of law authorizing the negotiations should be carefully read and explained to the Indians, who should be made to clearly understand and comprehend the meaning and intent thereof. Great care should be taken by you in your interviews with the Indians to secure proper and exact interpretations of all communications passing between you.

You will make a complete and accurate report of all your proceedings and of the proceedings of every council held, including all that is said or done by any person present, and the same must be certified by your signatures as correct and submitted with your final report.

In addition to the original written proceedings and report, you will prepare and submit one copy of each, if practicable, in order that the same may be in condition to submit to the Secretary of the Interior.

In case an agreement is effected it should be carefully drawn and executed by all the chiefs, headmen, and other male adults of the tribe occupying the reservation.

In case it is the opinion of yourself and Capt. Bubb (in the event Capt. Bubb assists in conducting the negotiations) that it will be necessary to employ a surveyor to enable you to properly determine and describe the change in the northern boundary line of the reservation, as agreed upon between yourselves and the Indians, so as to exclude from the reservation the strip of land on which the town site of Harrison and numerous settlers are located, you are hereby authorized so to do, including such assistants as are necessary in making the survey; said services to be paid for from funds available for that purpose. All such employés, including surveyor, should be reported on your report of irregular employés.

The new location of the boundary line as agreed upon should be carefully described in the agreement entered into between you and the Indians.

Your attention is particularly invited to the fact that the item above quoted makes no appropriation for carrying the same into effect; that is, no provision is made for paying the Indians anything for the change in the northern boundary line of the reservation, as therein contemplated. Touching this point you are informed that the U. S. Senators from Idaho have informally advised that office that it has been represented to them that the Indians will consent to the change of said boundary line without any money or other consideration whatever.

It is presumed that the Senators from Idaho, who secured the above legislation, had quite definite information that the change could be effected without compensation, or they would have secured the insertion of an item carrying with it an appropriation sufficient for this purpose. Moreover, the agent states in his letter of November 12, 1891, in reporting to this office respecting the location of the town site, that the Indians told him if he thought the line was not run right by the

surveyor and more land should have been included in the ceded portion, so as to throw the town of Harrison off the reservation, "it would be all right."

In the letter of instructions of July 20, 1893, it was stated that it was supposed by this office that the contemplated change would not require more than 300 or 400 acres to give the town-site settlers the relief they ask for; but it appears from the former council proceedings that there was no talk of a cession of less amount than a strip of land 1 mile wide across the entire reservation. The said item in the Indian appropriation act authorizing these negotiations, it appears, contemplates a cession of more land than merely that upon which the town of Harrison is located.

If it will require a strip of land 1 mile wide across the entire reservation to give the whites the relief contemplated, then the negotiations should be conducted accordingly; if a less amount of land will suffice, the negotiations should be conducted with a view to securing only the smaller amount. The matter should be carefully presented to the Indians in this light for their consideration and action. In conducting the negotiations the former negotiations and the council proceedings in connection therewith should be constantly kept in mind.

The matter should be fairly and clearly presented to the Indians, and they should be made to definitely understand (as no doubt they already do) that the legislation providing for the change of boundary carries with it no appropriation for paying for the land that may be ceded, and that if the negotiations provide for the payment to them of any sum of money for the cession the agreement would require the ratification of Congress and an appropriation for carrying the same into effect. If, after a full and perfect understanding on the part of the Indians, they consent to the change without compensation, the agreement should be drawn accordingly; if, however, they object to the cession without compensation, negotiations should be conducted looking to the payment to them of a proper and reasonable compensation, subject to the future action of Congress. Any agreement you may enter into with the Indians which carries with it a money consideration must of course be made subject to the ratification of Congress and subject to Congressional appropriation. All this should be fully explained to the Indians, and they should be made to feel that they may act freely in the matter.

Chief Séltice and subchiefs Weld shaw and Mac tel ma will be notified of the wishes of the Department as to the final settlement of this matter and of the fact that you have been instructed to negotiate with them for the change of the northern boundary line of the reservation, as contemplated in the said item of the Indian appropriation act providing therefor.

For your guidance in the preparation of an agreement, especially with reference to the heading, the signatures, seals, attestations of witnesses, certificate of interpreters, etc., see agreement with certain Indians in Montana ratified by act of May 1, 1888 (Public—No. 73), copy herewith.

Acknowledge receipt.

Very respectfully,

D. M. BROWNING,
Commissioner.

JOHN LANE, Esq.,

Special U. S. Indian Agent, Yakima Agency, Fort Simcoe, Wash.

UNITED STATES INDIAN SERVICE,
De Smet Mission, Idaho, February 10, 1894.

SIR: In obedience to instructions contained in office letter marked "Land 46760-1893," bearing date December 21, 1893, I, upon completion of my work at Yakima Agency (your telegram of the 16th of last month not reaching me until the 26th), started for this place, and arrived here on the 2d of this month, and immediately sent for Chiefs Siltice, Wild Shoes, and Pierre Mac tal ma, and notified them of the object of my visit. We agreed upon Tuesday, the 6th instant, as a convenient day to hold council, as the day following was Ash Wednesday, and nearly all the Indians would be here on the evening of Tuesday to enable them to attend early service the following morning. We accordingly met on Tuesday evening, there being a large number of Indians present. Learning that Father Ward was a shorthand writer, I asked him to take down proceedings of council. He promptly and pleasantly consented to do so. I also selected Paul Polotkan, an Indian, as interpreter.

Before opening council I asked the Indians if they had any objections to Father Ward and Polotkan acting in the above named capacities, and they assured me they had none. I then opened council, and tried to show to these Indians that it was their duty to cede a strip of land on north boundary of reservation, so as to include town site of Harrison and numerous settlers thereon free of charge. I was convinced before I finished talking that I would not succeed; that they wanted pay. Council adjourned to meet next morning at 9 o'clock a. m., the Indians stating they wanted to have a talk among themselves and come to some conclusion. The council met pursuant to adjournment. I told them I was anxious to hear what they had to say. They then informed me that they would take \$15,000 for a strip 1 mile wide running across northern portion of reservation and covering town site of Harrison and settlers aforesaid. Being satisfied from information obtained on the outside, and knowing that many white men interested in trading with these Indians were urging them to ask a very high price, telling them the "Government was compelled to have this land, and would eventually pay any price they would hold out for," and also remembering the best terms offered Capt. Bubb was something like \$70,000, I deemed it best to close bargain at the figures aforesaid, to-wit, \$15,000.

The papers in Spokane and at points nearer to reservation have kept this matter before the public for some time. I was met at Spokane, where I was compelled to remain one night on account of nonconnection of trains, by reporters from all the papers, and other parties, all anxious to give advice and learn my instructions, etc. I was very careful in my replies. I merely mention this in order to give you an idea of the excitement prevailing in regard to the purchase of the Harrison town site and the land occupied by settlers. From best information obtainable there are about 141 male adult Indians residing on this reservation and interested in this sale. We have obtained the signatures of 112 to the agreement. Taking everything into consideration I firmly believe I have made as good a bargain as could have been accomplished.

Hoping you will take the same view, and that my course will meet with your approval,

I am, very respectfully,

JOHN LANE,
U. S. Special Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

UNITED STATES INDIAN SERVICE.

De Smet, Idaho, February 6, 1894—6:30 o'clock p. m.

Col. LANE. Are all satisfied that Paul Paulotkin act as interpreter?

INDIANS. Yes.

Col. LANE. Are all satisfied that T. Ward does the writing?

INDIANS. Yes.

OPENING REMARKS OF COL. LANE.

I am very much pleased with you Indians since my stay here, and your fields, as well as the cultivated condition of your land, have filled me with admiration. It has been my pleasure to visit many reservations, but this one surpasses by far any that I have ever seen for nice homes and beautiful farms. It shows to me also that you have accomplished a greater work and advanced farther in civilization than any tribe of Indians I have ever met. When I visited your church last Sunday I must say that I witnessed more sincere devotion and Christianity than I have seen for many a day. When I saw that amid such a big storm so many people this evening

going to church for the purpose of attending service and prayer, I felt then, and I feel now, that I was standing in the presence of as true a party of Christians as I have ever seen in my life. And further, when I see those fathers who are devoting their lives to the education of your children, I feel like taking off my hat and bowing whenever I meet them. The result of their labor may be seen when one beholds your farms and your lands throughout this your beautiful reservation.

I am not here to humbug you or to tell stories that are not true, but before we get down to business I cannot help expressing my sentiments as I feel them within me. Now you people know why I am here. I have been sent by Washington for the purpose of settling this Harrison town site on a part of your reservation. I have been informed also that the chiefs have received letters from Washington fully explaining my visit to them. Before I proceed farther, I wish to remark to you people that Washington is not able to make you sell your land; nor can he force you in any way in this matter. (Here the colonel read from a paper about Harrison having become a town site on the 1st of July, 1891.) The whites got on the reservation, and they are not entirely to be blamed for going so far; hence this trouble with them at present. Now I have been informed that you Indians expressed that if it was known that the whites wanted the land it would have been granted. But I am not sure of this, for I was simply informed of it in the manner in which I told you. Washington has been very liberal to you people; he gave you a large price for your land, and the money was paid in your hand in coin. Washington was informed by the Senators and Members of Congress from the State of Idaho that you people were willing to give a strip of land 12 to 18 miles through the reservation, and that you did not want pay for it.

As I said before, Washington has been very lenient in dealing with your people, as I have been informed since I came here, with regard to the Spokane Indians. I am satisfied that there is no reasonable request that Washington will not grant you Indians, and in return he expects that you will come to his assistance when he asks you. I say that if you would freely and voluntarily grant this piece of land, 1 mile from the line, Washington will appreciate it very much. My instructions are very voluminous, and cover a great many pages; but I have given and explained everything to you.

Washington has given me particular instructions to tell you that he is greatly pleased with your progress. This is all I have to say. I would be pleased, though, to hear from any of the chiefs.

This, you must know, is a mere matter of business, and Washington will feel very pleased with you if you grant him this request.

Chief SELTICE. You know the interview that took place between us Indians and Capt. Bubb?

Col. LANE. Yes [showing the instructions]; I know all about it. It is all here.

Chief SELTICE. You know what we said, and this is the reason why Washington sends you here to straighten up things. Did not Washington tell you in those papers? [Pointing at papers on desk.] Now there are two parties, and the Harrison people are one and the surveyors make up the second. The latter claim that the line is true, and the Harrison people say it is not the true line.

Col. LANE. Washington acknowledges this [pointing on the map] as the true line, and if you Indians grant this it will be a purely voluntary gift on your part. Now, if you will give this land it is not to correct any previous mistake, but simply this: Washington asks it from you.

Chief SELTICE. About this Harrison town site; the first white man that came there came only with the intention to fish.

Col. LANE. Yes, I have been informed with all the particulars relating to that.

Chief SELTICE. Those Harrison people have been petitioning us for a long time about that land, so now we will give them 1 mile square, and the others that are living on that land, we don't want them bothering us; we want them removed.

Col. LANE. If you only give a mile square you will not settle the question; but if you grant that strip running there [pointing on map] you will settle the whole difficulty.

(The Indians are silent.)

Col. LANE. This reservation has lots of land, and this piece of which we are speaking is not of much account, because there are not many people (white) living on it.

Chief SELTICE. We will give to Washington 1 mile square and nothing more.

BAZIL. We want to go and talk this thing over among ourselves.

Col. LANE. I am anxious to settle this, and if you give this piece of land to Washington you will not lose anything by it. Now, I repeat it, the land belongs to you, and if you accede to the proposal of Washington it will be to your interest.

Chief WILDSHOW. I got all my land from Washington and I won't let one tree go for nothing.

Council adjourned to meet again at 9 a. m. to-morrow, February 7, 1894.

Council opened again at 9 a. m., February 7, 1894.

Col. LANE. I informed you Indians last evening what Washington wanted from you, and so I hope that this morning I will have the pleasure of hearing that you have come to some conclusion and grant the request which Washington asks from you. (After the Indians had been silent for some time.) Now I want to hear from some of you.

Chief WILDSHOW. The white people settled not only at Harrison, but also on our land above Harrison, and we Indians all know that. We have known this for a long time, but we felt sure that Washington would soon see about it. Where Harrison now stands was the place where the Indians used to fish. But we will let it go. We have come to this conclusion that we will let them have 1 mile across the boundary of the reservation. We Indians, all of us, can not let our land go for nothing.

(Here the Indians began to talk the matter over among themselves.)

Chief WILDSHOW. We will let that piece of land go for \$15,000.

Col. LANE. We will have the papers drawn up and submit them to Washington, and if you will wait here in one hour I will come back and we will fix it all up and have no more trouble. I am glad you have come to a conclusion so soon, and I know that Washington will more than appreciate this. And, furthermore, I do not think there is a man in the United States who would come here and live among you as long as I have without having the kindest feelings for you Cœur d'Alene Indians.

I, John Lane, U. S. Special Indian Agent, hereby certify that I have carefully read the foregoing proceedings of councils held at De Smet Mission, Idaho, on the 6th and 7th of February, 1894, and know the same to be a true and correct statement of said proceedings.

Witness my hand this 9th day of February, 1894, at De Smet Mission, Idaho.

Done in duplicate.

JOHN LANE,
U. S. Special Indian Agent.

I, Paul Polatkin, hereby certify that I am a member of the Cœur d'Alene tribe of Indians, and was chosen by said tribe of Indians and also by John Lane, special U. S. Indian agent, as interpreter at the council held by said Indians for the purpose of negotiating a sale for a portion of the Cœur d'Alene Reservation. That I speak and understand well both the English and Cœur d'Alene languages, and can read and write the same. That I faithfully, carefully, and correctly interpreted all the proceedings of said council and also correctly interpreted the agreement entered into by said parties.

Witness my hand at De Smet Mission, this 7th day of February, 1894.

PAUL POLATKIN,
Interpreter.

Agreement concluded on the 7th day of February, 1894, between John Lane, special U. S. Indian agent, on the part of the United States, and the Indians of the Cœur d'Alene Reservation in the State of Idaho.

ARTICLE I.

This agreement made on the 7th day of February, 1894, by John Lane, U. S. special Indian agent, on the part of the United States, and the Cœur d'Alene Indians, residing on the Cœur d'Alene Reservation, in the State of Idaho, by their chiefs, headmen, and principal men, embracing a majority of all the male adult Indians occupying said reservation, pursuant to an item in the act of Congress, making appropriations for current and contingent expenses, and fulfilling treaty stipulations with Indian tribes for the fiscal year ending June 30, 1894, as follows:

"The Secretary of the Interior is hereby directed to negotiate with the Cœur d'Alene Indians for a change of the northern line of their reservation so as to exclude therefrom a strip of land on which the town of Harrison and numerous settlers are located.

"That the foregoing provision shall take effect and be in force, after it shall have been submitted to and agreed to by the Indians of said tribe, and approved by the Secretary of the Interior."

Witnesseth, that the said Indians, for the consideration hereinafter named, do hereby cede, grant, and relinquish to the United States all right, title, and claim which they now have or ever had of, in, and to all the land embraced within the following-described tract, now a part of their reservation, to wit:

Beginning at a point on the north line of the reservation, on the east bank of the mouth of the Cœur d'Alene River, and running due south one mile, thence due east

parallel with the north boundary line to the east boundary line, thence north on the east boundary line to the northeast corner of the reservation, thence west on the north boundary line to the point of beginning.

ARTICLE II.

And it is further agreed, in consideration of the above, that the United States will pay to the said Cœur d'Alene tribe of Indians the sum of fifteen thousand (\$15,000) dollars, the same to be paid to the said Indians upon the completion of all the provisions of this agreement.

ARTICLE III.

It is further agreed that the payment of the money aforesaid shall be made to the said tribe of Indians pro rata, or share and share alike, for each and every member of the said tribe as recognized by said tribe now living on said reservation.

ARTICLE IV.

The new boundary lines of the reservation, established by this agreement, or such portions thereof as are not defined by natural objects, shall be surveyed and marked in a plain and substantial manner. The cost of such surveys are to be paid by the United States.

ARTICLE V.

This agreement shall not be binding upon either party until ratified by Congress. Dated and signed at De Smet Mission, Idaho, this 7th day of February, 1894.

JOHN LANE,
U. S. Special Indian Agent.

Witness:

GEO. F. STEELE.

The foregoing articles of agreement, having been fully explained to us in open council, we, the undersigned, chiefs, headmen, and principal men of the Cœur d'Alene tribe of Indians residing on the Cœur d'Alene Reservation, State of Idaho, do hereby consent and agree to all the stipulations therein contained.

Witness our hands and seals at De Smet Mission, State of Idaho, this 7th day of February, 1894.

- | | |
|--|--|
| 1. Andrew Sultice, his x mark, seal. | 27. Peal, his x mark, seal. |
| 2. Pierre Wild Shue, his x mark, seal. | 28. Louie Mechell, his x mark, seal. |
| 3. Pierre Mac tal me, his x mark, seal. | 29. Pierre Joseph La ya ish, his x mark, seal. |
| <i>Head chiefs of the</i> | |
| <i>Cœur d'Alene Indians.</i> | |
| 4. Arasis So so lum so, his x mark, seal. | 30. Paul, his x mark, seal. |
| 5. Bonamachy Kon qui macy, his x mark, seal. | 31. Lo Lo A whopt, his x mark, seal. |
| 6. Bassa Silla, his x mark, seal. | 32. Stanislaus, his x mark, seal. |
| 7. Ad da wa, his x mark, seal. | 33. Moses Hi a man, his x mark, seal. |
| 8. Sap pier, his x mark, seal. | 34. Louie Michataw, his x mark, seal. |
| 9. Camille Tim sin co, his x mark, seal. | 35. Andrew Timothy, seal. |
| 10. Now el, his x mark, seal. | 36. Joseph Whis ta ken, his x mark, seal. |
| 11. Louie Ans kou, his x mark, seal. | 37. Louie Kos qum ta, his x mark, seal. |
| 12. Ar ra pa, his x mark, seal. | 38. Leo Sico ten sh ta, his x mark, seal. |
| 13. Neos kon ta, his x mark, seal. | 39. Pierre Basa, his x mark, seal. |
| 14. Ben Kol le za, his x mark, seal. | 40. Phillip, his x mark, seal. |
| 15. Andrew Mal mal la ca, his x mark, seal. | 41. So set Ar I men saw, his x mark, seal. |
| 16. A chau, his x mark, seal. | 42. A pel Kwa wild shoe, his x mark, seal. |
| 17. Pi e use, his x mark, seal. | 43. Louis Neas, seal. |
| 18. Louie Antelope, his x mark, seal. | 44. Samuel, his x mark, seal. |
| 19. Basil, his x mark, seal. | 45. Nicodemus Cor o tos, his x mark, seal. |
| 20. Ko nel use, his x mark, seal. | 46. Bedell To mom or kin, his x mark, seal. |
| 21. Neos Che as so, his x mark, seal. | 47. Louie Mul kap sec, his x mark, seal. |
| 22. Arriarious, his x mark, seal. | 48. Camille, his x mark, seal. |
| 23. Andrew Diat so ka, his x mark, seal. | 49. Augustine Chil chil ta, his x mark, seal. |
| 24. Paul A chin na, his x mark, seal. | 50. Thomas Kion will sha, his x mark, seal. |
| 25. Daniel, his x mark, seal. | 51. Japaria Tal ya ya, his x mark, seal. |
| 26. Sebastian Col la quin, his x mark, seal. | 52. Basil Qua qua soo, his x mark, seal. |

53. Alex son, his x mark, seal.
54. Francis She to la, his x mark, seal.
55. Sol Louie, his x mark, seal.
56. Seymour, his x mark, seal.
57. Neos Took ta, his x mark, seal.
58. Prosper Tim el po, his x mark, seal.
59. Theodore Zeal mo scha ke, his x mark, seal.
60. Pierre Joseph kkiki, his x mark, seal.
61. Al lech chee chin takin, his x mark, seal.
62. Sa cre Ta chim na, his x mark, seal.
63. Louis Bis cha, his x mark, seal.
64. A chau Sol lo to ca, his x mark, seal.
65. Pierre Kol kol lu ie, his x mark, seal.
66. Thomas, his x mark, seal.
67. Isadore, his x mark, seal.
68. Pat Davenport, his x mark, seal.
69. Neos Paul, his x mark, seal.
70. Adrian, his x mark, seal.
71. Louie Che ta wa, his x mark, seal.
72. Joseph Spol quil quo, his x mark, seal.
73. Na chan, his x mark, seal.
74. Neos, his x mark, seal.
75. Mas cella Chis ches ta, his x mark, seal.
76. Andrew Youmas, his x mark, seal.
77. Abraham Whe so ta, his x mark, seal.
78. Leo So wo kou ta, his x mark, seal.
79. Abraham Se o qua kim, his x mark, seal.
80. Joseph Ko lum quhway, his x mark, seal.
81. Benjamin Chil spo, his x mark, seal.
82. Louie Sam, his x mark, seal.

Witnesses,

GEO. F. STEELE.

THOMAS B. WARD.

83. Joseph Lee chum smee, his x mark, seal.
84. Luke Tse ma kum, his x mark, seal.
85. Phillip Walcho, seal.
86. Louie See oc com mens, his x mark, seal.
87. Paul Polotkan, seal.
88. Leo Ho ho o lo, his x mark, seal.
89. Leo Go ka sah, his x mark, seal.
90. Bernard Spa cum sco, his x mark, seal.
91. Basil Cle chim mo, his x mark, seal.
92. Pierre Now wok en, his x mark, seal.
93. Barsa Jo shin nee, his x mark (old chief), seal.
94. Da Bos Se la, his x mark, seal.
95. Andrew Al lo quit so, his x mark, seal.
96. Camille Cha mo tal ha, his x mark, seal.
97. Louis Pierre, seal.
98. Louis Leo, seal.
99. Louie Toto, his x mark, seal.
100. Phillip Stellam, seal.
101. Celahen, his x mark, seal.
102. Patrick Nixon, seal.
103. S. E. Liberty, seal.
104. Joseph Peavy, seal.
105. Moise I. Kayasank, his x mark, seal.
106. Schluteen, his x mark, seal.
107. Leon, his x mark, seal.
108. Louis Pein, his x mark, seal.
109. William Mason, his x mark, seal.
110. James Finley, his x mark, seal.
111. Nei cool linu ta, his x mark, seal.
112. Charles Du prey, his x mark, seal.

I hereby certify that the foregoing articles of agreement were (care) carefully read and explained to the Indians, parties hereto in open council, and were thoroughly understood by them before signing the same, and that the agreement was executed and signed by said Indians at the De Smet Mission in Idaho, on the 7th day of February, 1894.

PAUL POLOTKAN,
Interpreter.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., March 14, 1894.

SIR: I have the honor to acknowledge the receipt, by departmental reference, of a letter from the Commissioner of Indian Affairs, dated February 24, 1894, accompanied by an incomplete bill ratifying an agreement negotiated with the Cœur d'Alene Indians, dated February 7, 1894, ceding to the United States a strip of land along the north boundary of their reservation.—I am directed to complete the bill (i. e.), provide for the *survey* and *disposal* of the ceded lands.

In compliance with your directions I have added sections 3, 4, and 5, and a complete copy of the bill is herewith submitted; and your attention is respectfully directed to the following points for consideration:

The reading of the agreement provided by the Commissioner of Indian Affairs has been retained, and is incorporated in the bill. The last clause of article 1 of the agreement (p. 2) reads "thence north

on the east boundary line"; the east boundary (see attached diagram) does not run *north*, its bearing is N. 32° 23' E.; consequently the description would agree more closely with the facts if the words "north on" could be replaced by "along," thus making the above-quoted phrase read, "thence along the east boundary line," etc. Probably the suggested change could be made without involving legal complications.

Referring to pages 3 and 4 of the Commissioner's letter, this office finds no precedent for providing a town site "1 mile square," when that already laid out contains, according to the official plat forwarded by the surveyor-general, only 20 acres. I can not see how, with our limited knowledge of existing conditions, a definite value can be assigned to the town site in advance of survey and appraisalment thereof.

After taking into consideration the equities of the case, I have concluded to provide for the appointment of a board of appraisalment, as set forth in the bill, as the best way to secure justice to bona fide residents of Harrison and other settlers, and to provide for reimbursement to the United States of the \$15,000 paid for the ceded tract.

In the bill the amount of appropriation for survey and appraisalment is left blank. The *survey* alone will cost \$745; the appraisalment, \$150, allowing five days for the work after the board assembles on the ground; total, \$895, which will be increased by traveling expenses of members of the board. As the latter item will depend in part on the distance from the reservation to the members' homes, I am unable to state the total amount of the appropriation required; but the item "traveling expenses" may be readily approximated and added to the above if, in advance of the ratification of the agreement, you can decide from what section of the country the members of the proposed board of appraisalment will be appointed.

The papers referring to the case are herewith returned.

Very respectfully,

S. W. LAMOREUX,
Commissioner.

The SECRETARY OF THE INTERIOR.

A bill to ratify and confirm an agreement with the Indians occupying the Cœur d'Alene Reservation, Idaho, and make provisions for carrying the same into effect.

Whereas, John Lane, special United States Indian agent, duly designated by the Secretary of the Interior to negotiate with the Cœur d'Alene Indians for a change in the northern boundary line of their reservation so as to exclude therefrom a strip of land on which the town of Harrison and numerous settlers are located under and by virtue of a clause contained in the Indian appropriation act, approved March 3, 1893, did, on the seventh day of February, anno Domini, one thousand eight hundred and ninety-four, conclude an agreement with the various tribes or bands of Indians residing upon the Cœur d'Alene Reservation in the State of Idaho, by their chiefs, headmen, and principal men, embracing a majority of all the male adult Indians occupying said reservation, which agreement is as follows:

Agreement concluded on the 7th day of February, 1894, between John Lane, special United States Indian agent, on the part of the United States, and the Indians of the Cœur d'Alene Reservation in the State of Idaho.

ARTICLE I

This agreement made on the 7th day of February, 1894, by John Lane, United States special Indian agent, on the part of the United States, and the Cœur d'Alene Indians, residing on the Cœur d'Alene Reservation in the State of Idaho, by their chiefs, headmen, and principal men, embracing a majority of all the male adult

Indians occupying said reservation, pursuant to an item in the act of Congress making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes for the fiscal year ending June 30, 1894, as follows:

"The Secretary of the Interior is hereby directed to negotiate with the Cœur d'Alene Indians for a change of the northern line of their reservation so as to exclude therefrom a strip of land on which the town of Harrison and numerous settlers are located.

"That the foregoing provision shall take effect and be in force after it shall have been submitted to and agreed to by the Indians of said tribe, and approved by the Secretary of the Interior."

Witnesseth: That the said Indians, for the consideration hereinafter named, do hereby cede, grant, and relinquish to the United States all right, title, and claim, which they now have or ever had, of, in, and to all the land embraced within the following described tract, now a part of their reservation, to wit:

"Beginning at a point on the north line of the reservation, on the east bank of the mouth of the Cœur d'Alene River, and running due south one mile; thence due east parallel with the north boundary line to the east boundary line; thence north on the east boundary line to the northeast corner of the reservation; thence west on the north boundary line to the point of beginning."

ARTICLE II.

And it is further agreed in consideration of the above that the United States will pay to the said Cœur d'Alene tribe of Indians the sum of fifteen thousand (\$15,000) dollars, the same to be paid to the said Indians upon the completion of all the provisions of this agreement.

ARTICLE III.

It is further agreed that the payment of the money aforesaid shall be made to the said tribe of Indians pro rata, or share and share alike for each and every member of the said tribe as recognized by said tribe now living on said reservation.

ARTICLE IV.

The new boundary lines of the reservation, established by this agreement, or such portions thereof as are not defined by natural objects, shall be surveyed and marked in a plain and substantial manner. The cost of such surveys are to be paid by the United States.

ARTICLE V.

This agreement shall not be binding upon either party until ratified by Congress. Dated and signed at De Smet Mission, Idaho, this 7th day of February, 1894.

JOHN LANE,
U. S. Special Indian Agent.

Witness:

GEO. F. STEELE.

The foregoing articles of agreement having been fully explained to us in open council, we, the undersigned, chiefs, headmen, and principal men of the Cœur d'Alene tribe of Indians residing on the Cœur d'Alene Reservation, State of Idaho, do hereby consent and agree to all the stipulations therein contained.

Witness our hands and seals at De Smet Mission, State of Idaho, this 7th day of February, 1894.

- | | |
|--|--|
| 1. Andrew Sultice, his x mark, seal, | 12. Ar ra pa, his x mark, seal. |
| 2. Pierre Wild Shue, his x mark, seal, | 13. Neos kon ta, his x mark, seal. |
| 3. Pierre Mac tal me, his x mark, seal, | 14. Ben Kol le za, his x mark, seal. |
| <i>Head chiefs of the</i> | 15. Andrew Malmalla ca, his x mark, seal. |
| <i>Cœur d'Alene Indians.</i> | 16. A chau, his x mark, seal. |
| 4. Arasis So so lum so, his x mark, seal. | 17. Pi e use, his x mark, seal. |
| 5. Bonamachy Kon qui macy, his x mark, seal. | 18. Louie Antelope, his x mark, seal. |
| 6. Bassa Silla, his x mark, seal. | 19. Basil, his x mark, seal. |
| 7. Ad da wa, his x mark, seal. | 20. Ko nel use, his x mark, seal. |
| 8. Sap pier, his x mark, seal. | 21. Neos Che as so, his x mark, seal. |
| 9. Camille Tim sin co, his x mark, seal. | 22. Arriarious, his x mark, seal. |
| 10. Now el, his x mark, seal. | 23. Andrew Diat so ka, his x mark, seal. |
| 11. Louie Ans kou, his x mark, seal. | 24. Paul A chin na, his x mark, seal. |
| | 25. Daniel, his x mark, seal. |
| | 26. Sebastian Col la quin, his x mark, seal. |

27. Peal, his x mark, seal.
28. Louie Mechell, his x mark, seal.
29. Pierre Joseph La ya ish, his x mark, seal.
30. Paul, his x mark, seal.
31. Lo lo A whopt, his x mark, seal.
32. Stanislaus, his x mark, seal.
33. Moses Hi a man, his x mark, seal.
34. Louie Michataw, his x mark, seal.
35. Andrew Timothy, seal.
36. Joseph Whis ta ken, his x mark, seal.
37. Louie Kos qum ta, his x mark, seal.
38. Leo Sico ten sh ta, his x mark, seal.
39. Pierre Basa, his x mark, seal.
40. Phillip, his mark, seal.
41. So set Ar I men saw, his x mark, seal.
42. A pel Kwa wild shoe, his x mark, seal.
43. Louis Neas, seal.
44. Samuel, his x mark, seal.
45. Nicodemus Cor o tos, his x mark, seal.
46. Bedell To mom or kin, his x mark, seal.
47. Louie Mul kap see, his x mark, seal.
48. Camille, his x mark, seal.
49. Augustine Chil chil ta, his x mark, seal.
50. Thomas Kion will sha, his x mark, seal.
51. Japaria Tal ya ya, his x mark, seal.
52. Basil qua qua soo, his x mark, seal.
53. Alex son, his x mark, seal.
54. Francis She to la, his x mark, seal.
55. Sol Louie, his x mark, seal.
56. Seymour, his x mark, seal.
57. Neos Took ta, his x mark, seal.
58. Prosper Tim el po, his x mark, seal.
59. Theodore Zeal mo scha ke, his x mark, seal.
60. Pierre Joseph kkiki, his x mark, seal.
61. Al lech chee chin takin, his x mark, seal.
62. Sa cre Ta chim na, his x mark, seal.
63. Louis Bis cha, his x mark, seal.
64. A chau Sol lo to ca, his x mark, seal.
65. Pierre Kol kol lu ic, his x mark, seal.
66. Thomas, his x mark, seal.
67. Isadore, his x mark, seal.
68. Pat Davenport, his x mark, seal.
69. Neos Paul, his x mark, seal.
70. Adrian, his x mark, seal.
71. Louie Che ta wa, his x mark, seal.
72. Joseph Spol quil quo, his x mark, seal.
73. Na chan, his x mark, seal.
74. Neos, his x mark, seal.
75. Mas cella Chis ches ta, his x mark, seal.
76. Andrew Youmas, his x mark, seal.
77. Abraham Whe so ta, his x mark, seal.
78. Leo So wo kou ta, his x mark, seal.
79. Abraham, his x mark, seal.
80. Joseph Ko lim quhway, his x mark, seal.
81. Benjamin Chil spo, his x mark, seal.
82. Louie Sam, his x mark, seal.
83. Joseph Lee chum smee, his x mark, seal.
84. Luke Tsle ma kum, his x mark, seal.
85. Phillip Welcho, seal.
86. Louie See oc com mens, his x mark, seal.
87. Paul Polotkan, seal.
88. Leo Ho ho o lo, his x mark, seal.
89. Leo Go ka sah, his x mark, seal.
90. Bernard Spa cum sco, his x mark, seal.
91. Basil Cle chim mo, his x mark, seal.
92. Pierre Now wok en, his x mark, seal.
93. Barsa Jo shin nee, his x mark (Old Chief), seal.
94. Da-Bos Se la, his x mark, seal.
95. Andrew Al lo quit-so, his x mark, seal.
96. Camille Cha mo tal ha, his x mark, seal.
97. Louis Pierre, seal.
98. Louis Lee, seal.
99. Louie Toto, his x mark, seal.
100. Phillip Stellam, seal.
101. Colahen, his x mark, seal.
102. Patrick Nixon, seal.
103. S. E. Liberty, seal.
104. Joseph Peavy, seal.
105. Moise I. Kayasank, his x mark, seal.
106. Schlatelyn, his x mark, seal.
107. Leon, his x mark, seal.
108. Louis Peiu, his x mark, seal.
109. William Mason, his x mark, seal.
110. James Finley, his x mark, seal.
111. Nei-cool lim ta, his x mark, seal.
112. Charles Du prey, his x mark, seal.

Witnesses:

GEO. F. STEELE.

THOMAS B. WARD.

I hereby certify that the foregoing articles of agreement were (care) carefully read and explained to the Indians, parties hereto, in open council, and were thoroughly understood by them before signing the same, and that the agreement was executed and signed by said Indians at the De Smet Mission in Idaho, on the 7th day of February, 1894.

PAUL POLOTKAN,
Interpreter.

Therefore,

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That said agreement be, and the same is hereby accepted, ratified, and confirmed.

SEC. 2. That for the purpose of carrying out the terms of said agreement, the sum of fifteen thousand dollars is hereby appropriated, to be paid out of any money in the

Treasury not otherwise appropriated, the same to be made immediately available, and to be paid the Indians of the Cœur d'Alene Reservation by the Secretary of the Interior, pro rata, or share and share alike, in accordance with the terms of said agreement.

SEC. 3. For the purpose of segregating the ceded land from the diminished Cœur d'Alene Indian Reservation, so much of the boundary line described in Article one of the agreement, that is not defined by a natural boundary, shall be properly surveyed and permanently marked in a plain and substantial manner by prominent and durable monuments.

SEC. 4. To provide for disposal of the lands acquired by the foregoing agreement, the Secretary of the Interior shall cause the same to be properly surveyed, subdivided, and platted in accordance with existing law; and shall then appoint a board of appraisers, to consist of three members, who shall be nonresidents and disinterested persons, to appraise the value of the townsite of Harrison, and state the price per acre of each and every legal subdivision of the ceded tract.

Each appraiser shall receive ten dollars per day while actually engaged on the work, and proper and reasonable traveling expenses.

In case the total appraised value of all the lands exceeds or falls short of fifteen thousand dollars, and the cost of appraising the lands, the appraisement of the townsite and the subdivisions shall be scaled in proportion to the appraised values to such price as will bring the total to the sum to be paid the Indians and the cost of the appraisement; and at the rates thus determined, in addition to the usual fees and charges, the lands will be disposed of under the homestead and townsite laws, preference being given to those persons who were actual bona fide settlers at the date of the agreement February seventh, eighteen hundred and ninety-four; *Provided*, That in no case shall the price per acre fall below the minimum prescribed by law.

SEC. 5. That for the purpose of making the surveys and appraisement herein authorized the sum of fifteen hundred dollars, or so much thereof as may be necessary, be, and hereby is, appropriated out of any money in the Treasury of the United States not otherwise appropriated, the same to be immediately available.

EXPENSES

THE ACTING SECRETARY

Coeur
D'Alene

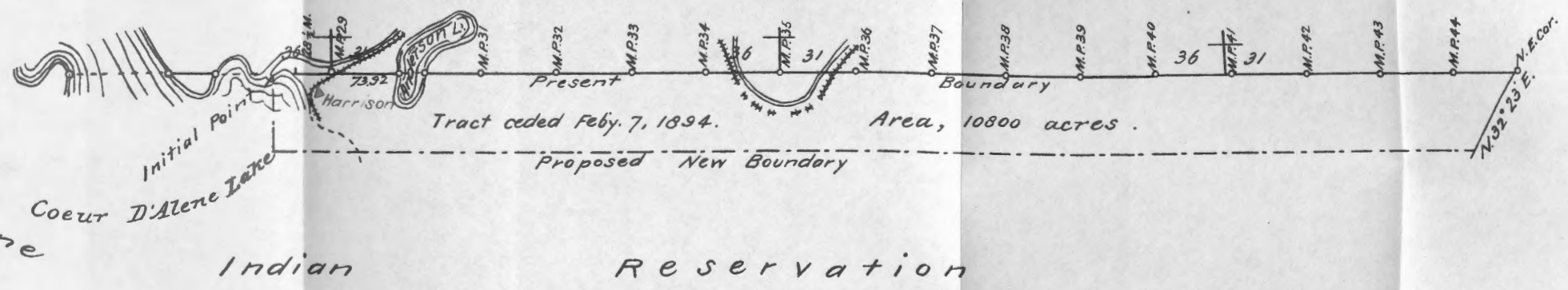
March 25, 1894. - Referred to the Department

Sir: I have the honor to acknowledge the receipt of your letter of the 14th inst., submitting to me a copy of the report of the Engineer of the Bureau of Reclamation, dated February 7, 1894, in relation to the proposed new boundary of the Coeur D'Alene Indian Reservation.

Very respectfully,
The Speaker of the House of Representatives

Respectfully, yours,

THE SPEAKER OF THE HOUSE



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